

# United States Bankruptcy Court

JUL 20 1988

For the NORTHERN District of IOWA

BARBARA A. EVERLY, CLERK

IN RE: RALPH D. KNOX  
RUTH E. KNOX, Debtors.  
SEARS, ROEBUCK &  
COMPANY,

Case No. L-88-00039W

v.  
RALPH DONALD KNOX and  
RUTH ELIZABETH KNOX

Plaintiff

Defendant

Adversary Proceeding No. L-88-0084W

## JUDGMENT

☐ This proceeding having come on for trial or hearing before the court, the Honorable Michael J. Melloy, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

[OR]

☒ The issues of this proceeding having been duly considered by the Honorable Michael J. Melloy, United States Bankruptcy Judge, and a decision having been reached without trial or hearing,

IT IS ORDERED AND ADJUDGED: That Sears, Roebuck & Company have judgment against defendant, Ralph Donald Knox, for the principal sum of \$2,000.00, together with interest at the rate of 18% per annum from March 1, 1988 and for costs of this action.

RECORDED: Vol. II  
Page 83



[Seal of the U.S. Bankruptcy Court]

Date of issuance: 7/20/88

BARBARA A. EVERLY

Clerk of Bankruptcy Court

By: Michael A. Sobey  
Deputy Clerk

JUL 20 1988

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA

BARBARA A. EVERLY, CLERK

IN RE	:	CASE NO. L-88-00039W
RALPH D. KNOX	:	
RUTH E. KNOX	:	ADVERSARY NO. L-88-0084W
	:	
Debtors	:	
-----		
SEARS, ROEBUCK & COMPANY,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
RALPH DONALD KNOX and	:	JUDGMENT DETERMINING DEBT
RUTH ELIZABETH KNOX,	:	TO BE NON-DISCHARGEABLE
	:	
Defendants.	:	

The Complaint of Sears, Roebuck & Company, seeking determination of the dischargeability of its debt against Ralph D. Knox and Ruth E. Knox comes on before this Court for hearing; the Plaintiff, Sears, Roebuck & Company appearing by its attorney, David L. Wetsch, and the Defendants, Ralph and Ruth Knox, appearing by their attorney, John Ackerman. The Court having reviewed the file, having been advised that the Plaintiff and the Defendant/Debtors have reached a compromise as to the disposition of this adversary action, and that the Defendant/Debtors have approved this judgment as to form. It is therefore appropriate that the judgment as set forth below be entered:

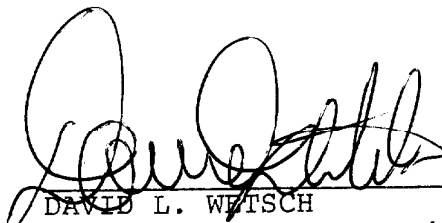
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that \$2,000.00 of the debt of Ralph Donald Knox to Sears, Roebuck & Company is hereby

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT  
IN THE IOWA DISTRICT COURT IN AND FOR \_\_\_\_\_ COUNTY  
(~~Small Claims Division~~)

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA  
Sears Roebuck & Company  
MAY 24 1990 EX.C. No. L-88-00039W


Plaintiff, :  
BARBARAA EVERLY, CLERK :  
vs. :  
Ralph Knox : RELEASE AND SATISFACTION  
: OF JUDGMENT  
Defendant. :

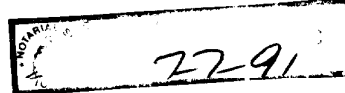
NOW, on this 21st day of May, 19 90, comes  
the Plaintiff in the above captioned matter and satisfies the  
judgment, all accrued interest and court costs in full.

  
\_\_\_\_\_  
DAVID L. WETSCH  
974 - 73rd Street, Suite 10  
Des Moines, IA 50312  
Telephone (515) 223-6000  
ATTORNEY FOR PLAINTIFF

STATE OF IOWA )  
                  ) ss  
COUNTY OF POLK )

On this 21st day of May, 19 90, before me, the  
undersigned, a Notary Public in and for the State of Iowa, personally  
appeared David L. Wetsch, to me known to be the identical person named  
in and who executed the foregoing instrument for the Plaintiff and  
acknowledged that he executed the same and his voluntary act and deed.

  
\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE  
OF IOWA



Vol II  
Page 83

KB

**IN THE IOWA DISTRICT COURT**  
UNITED STATES BANKRUPTCY COURT FOR THE  
NORTHERN DISTRICT OF IOWA

(Small Claims Division)

**COUNTY**

Sears Roebuck & Company

Plaintiff

Address

vs

XX. No. L-88-00039W

Adversary No. L-88-0084W

Ralph Donald Knox & Ruth E. Knox

Defendant

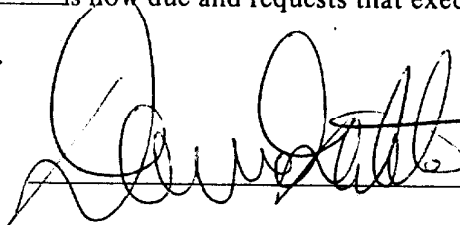
Docket Page

Address

**AFFIDAVIT OF DEFAULT**

I, David Wetsch being first duly sworn, do depose and say that I am the plaintiff in the above entitled matter and that on the 20th day of July

A. D. 19 88 the Court entered a judgment against the defendant and in favor of the plaintiff in the amount of \$ 2,000.00 plus court costs in the amount of \$ \_\_\_\_\_. The Court further ordered that the defendant pay to the plaintiff \$ 75 (per week) (per month) as installment payments on said Judgment. This plaintiff further states that the defendant has failed to comply with said Order and that the unpaid balance of \$ 1,775.00 is now due and requests that execution issue to the Sheriff of Black Hawk County.



plaintiff

STATE OF IOWA Polk COUNTY, ss:


Subscribed and sworn to by David Wetsch before me on the 30th day of  
December A D 19 88

determined to be non-dischargeable under the provisions of §523 of the Bankruptcy Code.

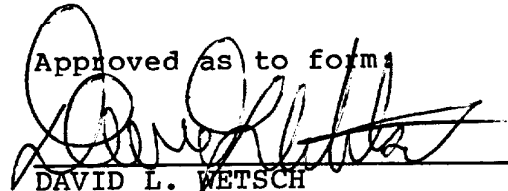
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Sears, Roebuck & Company have and recover judgment against the Defendant, Ralph Donald Knox, for the principal sum of \$2,000.00, together with interest thereon at the rate of 18% per annum from and after March 1, 1988, and for the costs of this action. The Defendant/Debtor, Ralph Donald Knox, shall be allowed to satisfy said judgment by making installment payments of \$75.00 per month, including interest, commencing August 1, 1988, and continuing each month thereafter until the judgment, all accrued interest and costs, are paid in full.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complaint to Determine Non-Dischargeability of Debt is dismissed as to the Defendant/Debtor, Ruth E. Knox.

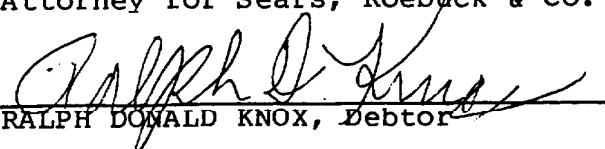
Signed this 20 day of July, 1988.

  
BANKRUPTCY JUDGE

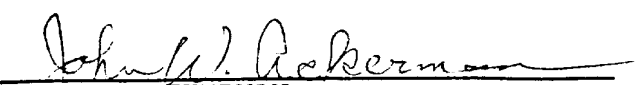
Approved as to form:

  
DAVID L. WETSCH

Attorney for Sears, Roebuck & Co.

  
RALPH DONALD KNOX, Debtor

Approved as to form and content:

  
JOHN W. ACKERMAN

Attorney for Debtors

Copy to US Trustee  
Atty. for Plaintiff David L. Wetsch,  
Atty. for Defendant John Ackerman,  
w/copy of Judgment)

# United States Bankruptcy Court

For the Northern District of Iowa

## WRIT OF EXECUTION

To: The United States Marshal for the Northern District of Iowa,

Greeting:

On the 30th day of December, 1988, judgment was rendered in this action that the plaintiff, Sears Roebuck & Company, shall recover from the defendant, Ralph & Ruth E. Knox, the sum of \$ 1,775.00 together with interest thereon at the rate of 18% percent per annum from the 1st day of March, 19 88 until paid, and \$ \_\_\_\_\_ costs were taxed against the defendant, \_\_\_\_\_. The judgment was duly entered and docketed in the records of the clerk of this court on the 20th day of July, 19 88 but no part of the judgment, interest thereon, or costs has been paid or satisfied.

Therefore:

You are hereby commanded to expose to execution sale so much of the property of the defendant, \_\_\_\_\_, as may have been attached at the commencement of this action to insure enforcement of the judgment as is necessary to satisfy the judgment, accrued interest thereon, costs of suit, and your execution costs and expenses, the property that was attached being described as follows:

If such property is insufficient to satisfy the aforementioned amounts due from the defendant, Ralph & Ruth E. Knox, you are further commanded to subject to execution sale sufficient of the defendant's other nonexempt personal property situated in your district as may be necessary to satisfy the remaining balance, and if such personal property is insufficient, then you are commanded to satisfy any final balance by a levy on and sale of sufficient of the defendant's remaining nonexempt real property situated within your district.

You are further commanded to return this writ with an endorsement thereon showing the manner of your compliance with its terms, together with the proceeds from the execution sale or sales, by the 30th day of December, 19 88.



[Seal of the U.S. Bankruptcy Court]

Date of issuance: January 4, 1989

BARBARA A. EVERLY

Clerk of Bankruptcy Court

By: Miranda A. Galay

Deputy Clerk

RECORDED: Vol II  
Page 83

DAVID L. WETSCH  
ATTORNEY AT LAW  
974 SEVENTY-THIRD STREET  
SUITE 10  
DES MOINES, IOWA 50312  
515-223-6000

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

JAN - 4 1989

BARBARA A. EVERLY, CLERK

TO United States Bankruptcy Court For  
The Northern District of Iowa  
P.O. Box 4371  
Cedar Rapids, Iowa 52407

DATE December 30, 1988

SUBJECT

RE: Sears Roebuck & Company vs Ralph & Ruth Knox  
Case #L-88-00039W

Dear Clerk,

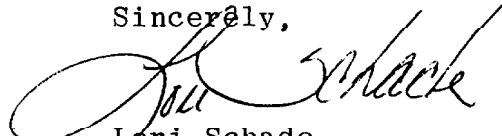
Please issue a execution on the above file. I have enclosed  
an affidavit of default and a writ of execution.

I will have the Black Hawk County Sheriff's Department serve  
this execution.

If you could please forward back to me the execution after it  
has been completed, I will then mail directions and the execution  
to the Sheriff's Department.

If you will need any thing further from me, please contact  
our office.

Sincerely,

  
Lori Schade

19 Jan 89

IN THE DISTRICT COURT OF BLACK HAWK COUNTY, IOWA

Sears Roebuck & Company, )

Plaintiff )

Employee Limit per Year \$ \_\_\_\_\_

Year to Date Amount \$ 115.62

vs.

Ralph Knox, )

Defendant )

JOHN DEERE COMPONENT WORKS, )

Garnishee )

Garnishment notice served on 13 January 19 89

Amount due defendant on above date \$ 628.36

Deductions

Withholding Income Tax \$85.02

Social Security Tax \$47.19

Iowa State Tax \$33.69

\$ 165.90

\$ 462.46

Balance held subject to court order (25% after taxes) \$ 115.62

Less Child Support - \$ -----

\$ 115.62

JOHN DEERE COMPONENT WORKS

Garnishee

By R J Wobben

Fill out, attach to notice of garnishment and file with the Clerk of Court issuing garnishment.



Check dated 26 Jan 89

IN THE DISTRICT COURT OF BLACK HAWK COUNTY, IOWA

Sears Roebuck & Company, )

Plaintiff )

Employee Limit per Year \$ \_\_\_\_\_

Year to Date Amount \$ 234.83

vs.

Ralph Knox, )

Defendant )

JOHN DEERE COMPONENT WORKS, )

Garnishee )

Garnishment notice served on 13 January 1989 19 \_\_\_\_\_

Amount due defendant on above date \$ 648.85

Deductions

Withholding Income Tax \$ 88.10

Social Security Tax \$ 48.73

Iowa State Tax \$ 35.17

\$ 172.00

\$ 476.85

Balance held subject to court order (25% after taxes) \$ 119.21

Less Child Support - \$ -----

\$ 119.21

JOHN DEERE COMPONENT WORKS

Garnishee

By R. J. Weber

Fill out, attach to notice of garnishment and file with the Clerk of Court issuing garnishment.

06 Feb 89

IN THE DISTRICT COURT OF BLACK HAWK COUNTY, IOWA  
w/e 29 Jan 89

Sears Roebuck & Company, )

Plaintiff )

Employee Limit per Year \$ \_\_\_\_\_

Year to Date Amount \$ 336.05

vs.

Ralph Knox, )

Defendant )

JOHN DEERE COMPONENT WORKS, )

Garnishee )

Garnishment notice served on 13 Jan 89 19 \_\_\_\_

Amount due defendant on above date \$546.40

Deductions

Withholding Income Tax \$ 72.73

Social Security Tax \$ 41.03

Iowa State Tax \$ 27.77

\$ 141.53

\$404.87

Balance held subject to court order (25 % after taxes) \$101.22

Less Child Support - \$-----

\$101.22

JOHN DEERE COMPONENT WORKS  
Garnishee

By R. J. Webb

Fill out, attach to notice of garnishment and file with the Clerk of Court issuing garnishment.

13 Feb 89

IN THE DISTRICT COURT OF BLACK HAWK COUNTY, IOWA  
W/E 05 Feb 89

Sears Roebuck & Company, )

Plaintiff )

Employee Limit per Year \$ 451.67

Year to Date Amount \$           

vs.

Ralph Knox, )

Defendant )

JOHN DEERE COMPONENT WORKS, )

Garnishee )

Garnishment notice served on 13 Jan 89 19       

Amount due defendant on above date \$ 628.36

Deductions

Withholding Income Tax \$ 85.02

Social Security Tax \$ 47.19

Iowa State Tax \$ 33.69

\$ 165.90

\$ 462.46

Balance held subject to court order (25% after taxes) \$ 115.62

Less Child Support - \$ -----

\$ 115.62

JOHN DEERE COMPONENT WORKS

Garnishee

By R J Ubbenfeld

Fill out, attach to notice of garnishment and file with the Clerk of Court issuing garnishment.

20 Feb 89

IN THE DISTRICT COURT OF BLACK HAWK COUNTY, IOWA

W/E 12 Feb 89

Sears Roebuck & Company, )

Plaintiff )

Employee Limit per Year \$ \_\_\_\_\_

Year to Date Amount \$ 551.40

vs.

Ralph Knox, )

Defendant )

JOHN DEERE COMPONENT WORKS, )

Garnishee )

Garnishment notice served on 13 Jan 89 19 \_\_\_\_

Amount due defendant on above date \$ 537.93

Deductions

Withholding Income Tax \$ 71.46

Social Security Tax \$ 40.40

Iowa State Tax \$ 27.16

\$ 139.02

\$ 398.91

Balance held subject to court order (25% after taxes) \$ 99.73

Less Child Support - \$ -----

\$ 99.73

JOHN DEERE COMPONENT WORKS

Garnishee

By R J Wittenburg

Fill out, attach to notice of garnishment and file with the Clerk of Court issuing garnishment.

27 Feb 89

IN THE DISTRICT COURT OF BLACK HAWK COUNTY, IOWA

W/E 19 Feb 89

Sears Roebuck & Company, )

Plaintiff )

Employee Limit per Year \$ \_\_\_\_\_

Year to Date Amount \$ 667.02

vs.

Ralph Knox, )

Defendant )

JOHN DEERE COMPONENT WORKS, )

Garnishee )

Garnishment notice served on 13 Jan 89 19 \_\_\_\_

Amount due defendant on above date \$ 628.36

Deductions

Withholding Income Tax

\$ 85.02

Social Security Tax

\$ 47.19

Iowa State Tax

\$ 33.69

\$ 165.90

\$ 462.46

Balance held subject to court order (25 % after taxes) \$ 115.62

Less Child Support - \$ -----

\$ 115.62

JOHN DEERE COMPONENT WORKS

Garnishee

By R J Ubben/jml

Fill out, attach to notice of garnishment and file with the Clerk of Court issuing garnishment.

06 Mar 89

IN THE DISTRICT COURT OF BLACK HAWK COUNTY, IOWA

W/E 26 Feb 89

Sears Roebuck & Company, )

Plaintiff )

Employee Limit per Year \$ \_\_\_\_\_

Year to Date Amount \$797.77

vs.

Ralph Knox, )

Defendant )

JOHN DEERE COMPONENT WORKS, )

Garnishee )

Garnishment notice served on 13 Jan 89 19 \_\_\_\_

Amount due defendant on above date \$ 726.44

Deductions

Withholding Income Tax \$ 108.80

Social Security Tax \$ 54.56

Iowa State Tax \$ 40.08

\$ 203.44

\$ 525.00

Balance held subject to court order (25 % after taxes) \$ 130.75

Less Child Support - \$-----

\$130.75

JOHN DEERE COMPONENT WORKS

Garnishee

By R. J. Ubben

Fill out, attach to notice of garnishment and file with the Clerk of Court issuing garnishment.

**NOTE:** THE GARNISHEE IS REQUIRED BY IOWA CODE CHAPTER 642, TO RETURN ANSWERS ON THIS FORM TO THE BLACK HAWK COUNTY SHERIFF

EXECUTION EXPIRES March 20, 1989 SSN: 478-42-9047 CL# 02D-13325

**NOTICE OF GARNISHMENT AND INTERROGATORIES  
IN THE DISTRICT COURT OF THE STATE OF IOWA, IN AND FOR BLACK HAWK COUNTY**

Sears Roebuck & Company Plaintiff  
versus  
Ralph Knox and Ruth Knox Defendant

To JOHN DEERE COMPONENT WORKS  
as garnishee herein and as supposed  
debtor of RALPH KNOX

163 University Avenue, Waterloo, IA

YOU ARE HEREBY NOTIFIED, That you are attached as garnishee, in above entitled action, by Court's Sheriff  
Execution to me directed by the Clerk of said Court for the sum of \$1,775.00 judgment plus costs, and that you  
are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the  
provisions of Chapter 642, Code of Iowa any amendments thereto; and Sections 1672 and 1673 of title 15, U.S. Code an-  
notated and that you must retain possession of all non-exempt funds of said defendant(s) now or hereafter being in your  
custody or under your control, in order that same may be dealt with according to law.

A notice of garnishment served upon a garnishee is effective without serving another notice until the earliest of the following:

- (1) The annual maximum permitted to be garnished under section 642.21 has been withheld.
- (2) The writ of execution expires.
- (3) The judgment is satisfied.
- (4) The garnishee is served with a notice that the garnishment shall cease.

MAIL NON-EXEMPT FUNDS TO: Sheriff of Black Hawk County, Court House, Waterloo, Iowa 50703  
SEE THE REVERSE SIDE OF THIS NOTICE OF GARNISHMENT FOR FURTHER INSTRUCTIONS.

Dated this 13th day of January, 1989

For your information the attorney for plaintiff is  
David L. Wetsch  
974-73rd St., Suite 10  
Des Moines, IA 50312  
1-515-223-6000

MICHAEL KUBIK,  
Sheriff of Black Hawk County  
Black Hawk County Court House, Waterloo, Iowa 291-2587  
By *David H. Kutsinger* Deputy

**Questions to be Answered by the Garnishee as Required by Provisions of Chapter 642, Code of Iowa.**

1. Are you in any manner indebted to the defendant in this suit, or do you owe him money or property which is not yet due? If so, state particulars:
2. Have you in your possession or under your control any property, rights or credits of the said defendant? If so, what is the value of same?
3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under the control of others? If so, state the particulars:
4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year.
5. Did you deliver the copy of the NOTICE OF GARNISHMENT to the employee? Date \_\_\_\_\_

Signature \_\_\_\_\_

RETURN OF SERVICE	FOR OFFICE USE ONLY
I HEREBY CERTIFY, That by virtue of aforesaid writ in above cause, I served notice of garnishment on above named garnishee this <u>15th</u> day of <u>January</u> , 19 <u>89</u> , at <u>9:50</u> o'clock, <u>AM</u> .	
by informing <u>Ruth Knox</u>	
that said named garnishee was attached as garnishee in said case by delivering to him a written notice of which the above and foregoing is a true copy. All done in Black Hawk County, Iowa.	
MICHAEL KUBIK, Sheriff of Black Hawk County By <u>Tamra J. Green</u> Deputy	
Subscribed and sworn to before me by the said <u>Tamra J. Green</u> this <u>16th</u> day of <u>January</u> , 19 <u>89</u> .	
<u>Barbara J. Smith</u> Barbara J. Smith, Notary Public in the State of Iowa	

**Canary Copy For Your Records — Return Pink Copy to Black Hawk County Sheriff's Office**

THE GARNISHEE IS REQUIRED BY IOWA CODE CHAPTER 642, TO RETURN THE ANSWERS ON THIS FORM TO THE  
 CLERK OF BLACK HAWK COUNTY SHERIFF

EXECUTION EXPIRES March 20, 1989 SSN: 478-42-9047 CL# 888-13325

# NOTICE OF GARNISHMENT AND INTERROGATORIES IN THE DISTRICT COURT OF THE STATE OF IOWA, IN AND FOR BLACK HAWK COUNTY

Sears Roebuck &amp; Company

Plaintiff

versus

Ralph Knox and Ruth Knox

Defendant

To JOHN DEERE COMPONENT WORKS

debtor of RALPH KNOX

163 University Avenue, Waterloo, IA

YOU ARE HEREBY NOTIFIED, That you are attached as garnishee, in above entitled action, by virtue of a General Execution to me directed by the Clerk of said Court for the sum of \$1,775.00 judgment plus costs, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa any amendments thereto; and Sections 1672 and 1673 of Title 15, U.S. Code annotated and that you must retain possession of all non-exempt funds of said defendant(s) now or hereafter being in your custody or under your control, in order that same may be dealt with according to law.

A notice of garnishment served upon a garnishee is effective without serving another notice until the earliest of the following:

- (1) The annual maximum permitted to be garnished under section 642.21 has been withheld.
- (2) The writ of execution expires.
- (3) The judgment is satisfied.
- (4) The garnishee is served with a notice that the garnishment shall cease.

MAIL NON-EXEMPT FUNDS TO: Sheriff of Black Hawk County, Court House, Waterloo, Iowa 50703

SEE THE REVERSE SIDE OF THIS NOTICE OF GARNISHMENT FOR FURTHER INSTRUCTIONS.

Dated this 13th day of January, 19 89

For your information the attorney for plaintiff is  
 David L. Mettsch  
 974-73rd St., Suite 10  
 Des Moines, IA 50312  
 1-515-223-6000

MICHAEL KUBIK,  
 Sheriff of Black Hawk County  
 Black Hawk County Court House, Waterloo, Iowa 291-8882  
 By *[Signature]* Deputy

## Questions to be Answered by the Garnishee as Required by Provisions of Chapter 642, Code of Iowa.

1. Are you in any manner indebted to the defendant in this suit, or do you owe him money or property which is not yet due? If so, state particulars:  
 No
2. Have you in your possession or under your control any property, rights or credits of the said defendant? If so, what is the value of same?  
 No
3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under the control of others? If so, state the particulars:  
 No
4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year.  
 Yes

5. Did you deliver this copy of the NOTICE OF GARNISHMENT to the employee? Date 13 Jan 89

Signature

## RETURN OF SERVICE

## FOR OFFICE USE ONLY

I HEREBY CERTIFY, That by virtue of aforesaid writ in above cause, I served notice of garnishment on above named garnishee this  
 day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.,

by informing \_\_\_\_\_  
 that said named garnishee was attached as garnishee in said case by delivering to him a written notice of which the above and foregoing is a true copy. All done in Black Hawk County, Iowa.  
 MICHAEL KUBIK, Sheriff of Black Hawk County By \_\_\_\_\_ Deputy

Subscribed and sworn to before me by the said \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Notary Public in the State of Iowa

Canary Copy For Your Records — Return Pink Copy to Black Hawk County Sheriff's Office



**NOTE:** THE GARNISHEE IS REQUIRED BY IOWA CODE CHAPTER 642, TO RETURN THE ANSWERS ON THIS FORM TO THE BLACK HAWK COUNTY SHERIFF

EXECUTION EXPIRES March 20, 1988 SSN: 478-42-9047 CL# 02D-13325

**NOTICE OF GARNISHMENT AND INTERROGATORIES** ~~XXXX~~  
**IN THE DISTRICT COURT OF THE STATE OF IOWA, IN AND FOR BLACK HAWK COUNTY**

ANY AND ALL ACCOUNTS INCLUDING ACCOUNT NO. 1590001332507

Sears Roebuck & Company

Plaintiff

versus

Ralph Knox and Ruth Knox

Defendant

To JOHN DEERE COMMUNITY CREDIT UNION

**WE NEED \$2109.83 FOR**

**THIS JUDGMENT. THANK YOU.**  
**BLACK HAWK COUNTY SHERIFF**

P. O. Box 6000, 1827 Ansborough Ave., Waterloo

debtor of RALPH KNOX and RUTH KNOX

163 University Avenue, Waterloo, IA

YOU ARE HEREBY NOTIFIED, That you are attached as garnishee, in above entitled action, by virtue of a General Execution to me directed by the Clerk of said Court for the sum of \$1,775.00 judgment Plus costs, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa any amendments thereto; and Sections 1672 and 1673 of title 15, U.S. Code annotated and that you must retain possession of all non-exempt funds of said defendant(s) now or hereafter being in your custody or under your control, in order that same may be dealt with according to law.

A notice of garnishment served upon a garnishee is effective without serving another notice until the earliest of the following:

- (1) The annual maximum permitted to be garnished under section 642.21 has been withheld.
- (2) The writ of execution expires.
- (3) The judgment is satisfied.
- (4) The garnishee is served with a notice that the garnishment shall cease.

MAIL NON-EXEMPT FUNDS TO: Sheriff of Black Hawk County, Court House, Waterloo, Iowa 50703  
SEE THE REVERSE SIDE OF THIS NOTICE OF GARNISHMENT FOR FURTHER INSTRUCTIONS.

Dated this 13th day of January, 1989.

For your information the attorney for plaintiff is  
David L. Wetsch  
974-73rd St., Suite 10  
Des Moines, IA 50312  
1-515-223-6000

**MICHAEL KUBIK,**  
**Sheriff of Black Hawk County**  
Black Hawk County Court House, Waterloo, Iowa 291-2587  
By *[Signature]* Deputy

**Questions to be Answered by the Garnishee as Required by Provisions of Chapter 642, Code of Iowa.**

1. Are you in any manner indebted to the defendant in this suit, or do you owe him money or property which is not yet due? If so, state particulars:

2. Have you in your possession or under your control any property, rights or credits of the said defendant? If so, what is the value of same?

3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under the control of others? If so, state the particulars:

4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year.

5. Did you deliver the copy of the NOTICE OF GARNISHMENT to the employee? Date

Signature

EXECUTION L-00-00039W UNITED STATES BANKRUPTCY COURT  
NOTE: THE GARNISHEE IS REQUIRED BY IOWA CODE CHAPTER 642, TO RETURN THE ANSWERS ON THIS FORM TO THE  
BLACK HAWK COUNTY SHERIFF  
13325-0  
Ruth Knox  
13325-1  
EXECUTION EXPIRES March 20, 1989 SSN: 478-42-9047 CL# 02D-13325

NOTICE OF GARNISHMENT AND INTERROGATORIES  
IN THE DISTRICT COURT OF THE STATE OF IOWA, IN AND FOR BLACK HAWK COUNTY

ANY AND ALL ACCOUNTS INCLUDING ACCOUNT NO. 1590001332507

Sears Roebuck & Company Plaintiff

Ralph Knox and Ruth Knox Defendant

To JOHN DEERE COMMUNITY CREDIT UNION

P. O. Box 6000, 1827 Ansborough Ave., Waterloo as garnishee herein and as supposed

debtor of RALPH KNOX and RUTH KNOX

163 University Avenue, Waterloo, IA 50701  
463 Archer Waterloo 50703

YOU ARE HEREBY NOTIFIED, That you are attached as garnishee, in above entitled action, by virtue of a General Execution to me directed by the Clerk of said Court for the sum of \$1,775.00 judgment Plus costs, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa any amendments thereto; and Sections 1672 and 1673 of title 15, U.S. Code annotated and that you must retain possession of all non-exempt funds of said defendant(s) now or hereafter being in your custody or under your control, in order that same may be dealt with according to law.

A notice of garnishment served upon a garnishee is effective without serving another notice until the earliest of the following:

- (1) The annual maximum permitted to be garnished under section 642.21 has been withheld.
- (2) The writ of execution expires.
- (3) The judgment is satisfied.
- (4) The garnishee is served with a notice that the garnishment shall cease.

MAIL NON-EXEMPT FUNDS TO: Sheriff of Black Hawk County, Court House, Waterloo, Iowa 50703  
SEE THE REVERSE SIDE OF THIS NOTICE OF GARNISHMENT FOR FURTHER INSTRUCTIONS.

Dated this 13th day of January, 1989.

For your information the attorney for plaintiff is  
David L. Wetsch  
974-73rd St., Suite 10  
Des Moines, IA 50312  
1-515-223-6000

MICHAEL KUBIK,  
Sheriff of Black Hawk County  
Black Hawk County Court House, Waterloo, Iowa 291-2587  
By Daniel H. Kautzinger Deputy

Questions to be Answered by the Garnishee as Required by Provisions of Chapter 642, Code of Iowa.

1. Are you in any manner indebted to the defendant in this suit, or do you owe him money or property which is not yet due? If so, state particulars:  
No
2. Have you in your possession or under your control any property, rights or credits of the said defendant? If so, what is the value of same?  
Yes check enclosed \$110.23 to \$110.00 more on 2-1-89  
\$75.00 more on 3-7-89
3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under the control of others? If so, state the particulars:  
No
4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year.  
No
5. Did you deliver the copy of the NOTICE OF GARNISHMENT to the employee? Date 1-13-89 mailed by Credit Union  
Copy

RETURN OF SERVICE

FOR OFFICE USE ONLY

I HEREBY CERTIFY, That by virtue of aforesaid writ in above cause, I served notice of garnishment on above named garnishee this 13 day of JANUARY 1989 at 10:15 o'clock, A.M., by informing Eileen Katcher, ACCOUNT INFORMATION DEPARTMENT that said named garnishee was attached as garnishee in said case by delivering to him a written notice of which the above and foregoing is a true copy. All done in Black Hawk County, Iowa.

MICHAEL KUBIK, Sheriff of Black Hawk County By \_\_\_\_\_ Deputy

Subscribed and sworn to before me by the said \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Notary Public in the State of Iowa

NOTE: 1. GARNISHEE IS REQUIRED BY IOWA CODE CHAPTER 642. O RETURN THE ANSWERS ON THIS FORM TO THE BLACK HAWK COUNTY SHERIFF

EXECUTION EXPIRES March 20, 1988 SSN: 478-42-9047 CL# 02D-13325

NOTICE OF GARNISHMENT AND INTERROGATORIES  
IN THE DISTRICT COURT OF THE STATE OF IOWA, IN AND FOR BLACK HAWK COUNTY

ANY AND ALL ACCOUNTS INCLUDING ACCOUNT NO. 1590001332507

Sears Roebuck &amp; Company

versus

Ralph Knox and Ruth Knox

Plaintiff

Defendant

To JOHN DEERE COMMUNITY CREDIT UNION

P. O. Box 6000, 127 Ansborough Ave., Waterloo

debtor of RALPH KNOX and RUTH KNOX

163 University Avenue, Waterloo, IA 50701

463 Archer Waterloo 50703

YOU ARE HEREBY NOTIFIED, That you are attached as garnishee, in above entitled action, by virtue of a General Execution to me directed by the Clerk of said Court for the sum of \$1,775.00 judgment Plus costs, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa any amendments thereto; and Sections 1672 and 1673 of title 15, U.S. Code annotated and that you must retain possession of all non-exempt funds of said defendant(s) now or hereafter being in your custody or under your control, in order that same may be dealt with according to law.

A notice of garnishment served upon a garnishee is effective without serving another notice until the earliest of the following:

- (1) The annual maximum permitted to be garnished under section 642.21 has been withheld.
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- (3) The judgment is satisfied.
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SEE THE REVERSE SIDE OF THIS NOTICE OF GARNISHMENT FOR FURTHER INSTRUCTIONS.

Dated this 13th day of January, 1989.

For your information the attorney for plaintiff is  
David L. Wetsch  
974-73rd St., Suite 10  
Des Moines, IA 50312  
1-515-223-6000

MICHAEL KUBIK,  
Sheriff of Black Hawk County  
Black Hawk County Court House, Waterloo, Iowa 291-2587

By Rand H. Kutsinger Deputy

## Questions to be Answered by the Garnishee as Required by Provisions of Chapter 642, Code of Iowa.

1. Are you in any manner indebted to the defendant in this suit, or do you owe him money or property which is not yet due? If so, state particulars:

No

2. Have you in your possession or under your control any property, rights or credits of the said defendant? If so, what is the value of same?

Yes check enclosed \$110.23

3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under the control of others? If so, state the particulars:

No

4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year.

No

5. Did you deliver the copy of the NOTICE OF GARNISHMENT to the employee? Date 1-13-89 mailed by Credit Union

Signature

## RETURN OF SERVICE

## FOR OFFICE USE ONLY

I HEREBY CERTIFY, That by virtue of aforesaid writ in above cause, I served notice of garnishment on above named garnishee this

13 day of JANUARY, 1989, at 10:15 o'clock, A.M.,  
by informing Eileen Katcher, ACCOUNT INFORMATION DEPARTMENT

that said named garnishee was attached as garnishee in said case by delivering to him a written notice of which the above and foregoing is a true copy. All done in Black Hawk County, Iowa.

MICHAEL KUBIK, Sheriff of Black Hawk County By Deputy

Subscribed and sworn to before me by the said this day of 19

Notary Public in the State of Iowa

Canary Copy For Your Records — Return Pink Copy to Black Hawk County Sheriff's Office

NOTE: THE GARNISHEE IS REQUIRED BY IOWA CODE CHAPTER 642, TO RETURN THE ANSWERS ON THIS FORM TO THE  
BLACK HAWK COUNTY SHERIFF

EXECUTION EXPIRES March 20, 1988 SSN: 478-42-9047 CL# 02D-13325

RALPH KNOX  
13325-0  
RUTH KNOX  
13325-1NOTICE OF GARNISHMENT AND INTERROGATORIES  
IN THE DISTRICT COURT OF THE STATE OF IOWA, IN AND FOR BLACK HAWK COUNTY

ANY AND ALL ACCOUNTS INCLUDING ACCOUNT NO. 1590001332507

Sears Roebuck &amp; Company

Plaintiff

versus

Ralph Knox and Ruth Knox

Defendant

To JOHN DEERE COMMUNITY CREDIT UNION

WE NEED \$2102.83 FOR  
THIS JUDGMENT. THANK YOU

P. O. Box 6000, 1827 Ansborough Ave., Waterloo, Iowa 50703

debtor of RALPH KNOX and RUTH KNOX

163 University Avenue, Waterloo, IA 50701

463 Archer Waterloo 52703

YOU ARE HEREBY NOTIFIED, That you are attached as garnishee, in above entitled action, by virtue of a General Execution to me directed by the Clerk of said Court for the sum of \$1,775.00 judgment plus costs, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa; any amendments thereto; and Sections 1672 and 1673 of title 15, U.S. Code annotated and that you must retain possession of all non-exempt funds of said defendant(s) now or hereafter being in your custody or under your control, in order that same may be dealt with according to law.

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- (3) The judgment is satisfied.
- (4) The garnishee is served with a notice that the garnishment shall cease.

MAIL NON-EXEMPT FUNDS TO: Sheriff of Black Hawk County, Court House, Waterloo, Iowa 50703

SEE THE REVERSE SIDE OF THIS NOTICE OF GARNISHMENT FOR FURTHER INSTRUCTIONS.

Dated this 13th day of January, 1989.

For your information the attorney for plaintiff is  
David L. Wetsch  
974-73rd St., Suite 10  
Des Moines, IA 50312  
1-515-223-6000

MICHAEL KUBIK,  
Sheriff of Black Hawk County  
Black Hawk County Court House, Waterloo, Iowa 50703  
By *[Signature]* Deputy

## Questions to be Answered by the Garnishee as Required by Provisions of Chapter 642, Code of Iowa.

1. Are you in any manner indebted to the defendant in this suit, or do you owe him money or property which is not yet due? If so, state particulars:

No

2. Have you in your possession or under your control any property, rights or credits of the said defendant? If so, what is the value of same?

Yes, check enclosed \$110.23

3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under the control of others? If so, state the particulars:

No

4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year.

No

5. Did you deliver this copy of the NOTICE OF GARNISHMENT to the employee? Date 1-13-89 mailed by Credit Union

Signature

## RETURN OF SERVICE

## FOR OFFICE USE ONLY

I HEREBY CERTIFY, That by virtue of aforesaid writ in above cause, I served notice of garnishment on above named garnishee this

13

day of

JANUARY

1989

at

10:15

o'clock

A

M.

by informing

Eileen Katcher

ACCOUNT INFORMATION DEPARTMENT

that said named garnishee was attached as garnishee in said case by delivering to him a written notice of which the above and foregoing is a true copy. All done in Black Hawk County, Iowa.  
MICHAEL KUBIK, Sheriff of Black Hawk County By

Deputy

Subscribed and sworn to before me by the said

this

day of

19

Notary Public in the State of Iowa

Careful Copy For Your Records — Return Pink Copy to Black Hawk County Sheriff's Office

RELEASE

FROM SHERIFF OF BLACK HAWK COUNTY, IOWA

TO: John Deere Component Works

IN RE: Sears, Roebuck & Company

VS

Ralph Knox et al

Garnishment served on you under date of 1-13-89  
is hereby released.

[REDACTED], SHERIFF  
OF BLACK HAWK COUNTY, IOWA.

Date 3-9-89 BJ Gifford, Clerk III

RELEASE

FROM SHERIFF OF BLACK HAWK COUNTY,

TO: John Deere Community Credit Union

IN RE: Sears Roebuck & Company

VS

Ralph Knox and Ruth Knox

Garnishment served on you under date of 1-  
is her

[REDACTED]  
OF BLACK HAWK COU

Date 3-9-89 BJ Gifford, Clerk II

TO: John Deere Component Works

IN RE: Sears Roebuck & Company

VS

Ralph Knox and Ruth Knox

TOTAL FUNDS YOU ARE HOLDING - \$ 797.77

UNDER GARNISHMENTS MADE BY OUR OFFICE

AS FOLLOWS: 1-13-89

PLEASE SEND ABOVE TOTAL TO:

WENDELL H. CHRISTENSEN, SHERIFF  
OF BLACK HAWK COUNTY, IOWA.

DATE 3-9-89 BJ Gifford, Clerk III

DAVID L. WETSCH  
ATTORNEY AT LAW  
974 SEVENTY-THIRD STREET  
SUITE 10  
DES MOINES, IOWA 50312  
515-223-6000

TO Black Hawk County Sheriff's Department  
Attention: B.J.  
Waterloo, Iowa 50703

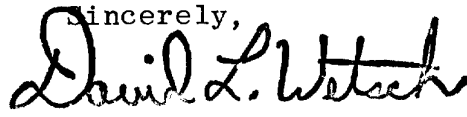
DATE March 8, 1989  
SUBJECT

RE: Sears Roebuck & Company vs Ralph Knox  
Bankruptcy #L-88-00039W

Dear B.J.,

Please stop the above garnishment. Please do not release any funds bank to the defendant. Please forward all garnished funds to United States Bankruptcy Court for the Northern District of Iowa P.O. Box 4371 Cedar Rapids, Iowa 52407.

If you have any questions, please contact our office.

Sincerely,  
  
David Wetsch

# United States Bankruptcy Court

For the Northern District of Iowa

## WRIT OF EXECUTION

To: The United States Marshal for the Northern District of Iowa,

Greeting:

On the 30th day of December, 1988, judgment was rendered in this action that the plaintiff, Sears Roebuck & Company, shall recover from the defendant, Ralph & Ruth E. Knox, the sum of \$ 1,775.00 together with interest thereon at the rate of 18% percent per annum from the 1st day of March, 19 88 until paid, and \$ \_\_\_\_\_ costs were taxed against the defendant, \_\_\_\_\_. The judgment was duly entered and docketed in the records of the clerk of this court on the 20th day of July, 19 88 but no part of the judgment, interest thereon, or costs has been paid or satisfied.

Therefore:

You are hereby commanded to expose to execution sale so much of the property of the defendant, \_\_\_\_\_, as may have been attached at the commencement of this action to insure enforcement of the judgment as is necessary to satisfy the judgment, accrued interest thereon, costs of suit, and your execution costs and expenses, the property that was attached being described as follows:

If such property is insufficient to satisfy the aforementioned amounts due from the defendant, Ralph & Ruth E. Knox, you are further commanded to subject to execution sale sufficient of the defendant's other nonexempt personal property situated in your district as may be necessary to satisfy the remaining balance, and if such personal property is insufficient, then you are commanded to satisfy any final balance by a levy on and sale of sufficient of the defendant's remaining nonexempt real property situated within your district.

You are further commanded to return this writ with an endorsement thereon showing the manner of your compliance with its terms, together with the proceeds from the execution sale or sales, by the 30th day of December, 19 88.

BARBARA A. EVERLY

Clerk of Bankruptcy Court



[Seal of the U.S. Bankruptcy Court]

By: Miranda A. Galay

Deputy Clerk

Date of issuance: January 4, 1989

RECORDED: Vol II  
Page 83

*Original filed in Clerk's Office 1/11/89*

9

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

MAR 20 1989

BARBARA A. EVERLY, CLERK

Sheriff's Return  
Black Hawk County, Iowa

United States Bankruptcy Court  
Execution L-88-00039W

Northern District of Iowa

STATE OF IOWA, BLACK HAWK COUNTY, ss:

I hereby certify and return that the attached execution came into my hands for service on the 9th day of January, 1989, and I further certify and return that I served said execution as follows:

1-13-89	Garnished the JOHN DEERE COMPONENT WORKS - Notice to Garnishee hereto attached
1-25-89	Answer from Garnishee - \$115.62
2-01-89	Answer from Garnishee - \$119.21
2-06-89	Answer from Garnishee - \$101.22
2-14-89	Answer from Garnishee - \$115.62
2-22-89	Answer from Garnishee - \$99.73
2-28-89	Answer from Garnishee - \$115.62
3-07-89	Answer from Garnishee - \$130.75
1-31-89	Garnished the JOHN DEERE COMMUNITY CREDIT UNION - Notice to Garnishee hereto attached
1-16-89	Answer from Garnishee - \$110.23
2-02-89	Answer from Garnishee - \$110.00
3-09-89	Answer from Garnishee - \$75.00

I further certify and return that I received from the Garnishee, JOHN DEERE COMPONENT WORKS, the amount of \$797.77.

I further certify and return that I received from the Garnishee, JOHN DEERE COMMUNITY CREDIT UNION, the amount of 295.23.

The total amount received is \$1,093.00 and of this amount I

Paid to the United States Bankruptcy Court, for the Northern District of Iowa	\$1047.40
--	-----------

Retained as my fees	45.60
TOTAL	\$1093.00

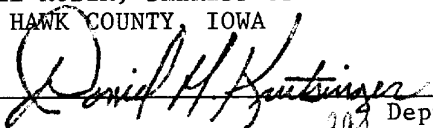
and on this 15th day of March, 1989, I return this execution partially satisfied, upon request of Plaintiff's Attorney.

I further certify and return that on the 13th day of January, 1989, I served to the Garnishee, JOHN DEERE COMPONENT WORKS, a Notice of Garnishment for Defendants, RALPH KNOX and RUTH E. KNOX.

All being done in Black Hawk County, Iowa.

MICHAEL KUBIK, SHERIFF OF  
BLACK HAWK COUNTY, IOWA

BY

  
Deputy Lt.

FEEs	
Processing	\$40.00
Mileage	2.10
Copy	3.50
TOTAL	\$45.60

FEEs PAID AS SHOWN ABOVE

VOL. II  
Pg. 83



PLAINTIFF'S ORDER TO LEVY

Sears Roebuck & Company

Plaintiff

VERSUS

Ralph Knox

163 University

Waterloo, Iowa

Defendant

Case No. L-88-00039W

Docket No.

INSTRUCTIONS TO ALL ATTORNEYS

BEFORE ANY ACTION CAN BE TAKEN BY THE POLK COUNTY SHERIFF'S OFFICE, YOU MUST INDICATE BY CHECKING "YES" IF THIS IS A CONSUMER CREDIT TRANSACTION OR "NO" IF THIS IS NOT A CONSUMER CREDIT TRANSACTION.

YES. XX NO

State of Iowa, Polk County, ss.

To the Sheriff of Black Hawk, IOWA.

You are hereby directed to levy under a GENERAL EXECUTION

in the above entitled cause on the following described property, to-wit:

By Garnishment on:

① John Deere

Waterloo, Iowa

WAGES FOR RALPH KNOX

② John Deere Community Credit Union

P.O. Box 6000 Waterloo, Iowa

(ANY AND ALL ACCOUNTS)

including: 1590001332507

The Sheriff is directed to proceed until further orders.

Plaintiff

By

Plaintiff's Attorney

Address

DAVID L. WEISCH  
Attorney At Law

874 - 73rd St., Suite 10

DES MOINES, IOWA 50312

Phone No.

515-223-6000

Dated 1/6 89, 19



**VOUCHER AND SCHEDULE OF PAYMENTS**

(MEMORANDUM)

**U. S. BANKRUPTCY COURT**

Schedule No. 111

Sheet 1 of 1

BUREAU OR OFFICE <b>NORTHERN DISTRICT OF IOWA</b>		PAID BY [Signature] U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF IOWA APR 24 1989
LOCATION OF TRANSMITTING OFFICE <b>CEDAR RAPIDS, IOWA</b>	AGENCY STATION NO. <b>8629</b>	
APPROPRIATION SUMMARY  <b>CAN 110 - \$1,047.40</b>		

VOUCHER NO.	PAYEE, AND IF NECESSARY, ADDRESS, INVOICE OR OTHER IDENTIFICATION	D. D. CHECK NO.
	<b>BARBARA A. EVERLY, CLERK</b>  <b>DAVID L. WETSCH, Attorney for</b> <b>Sears Roebuck &amp; Company, Plaintiff/Garnishor,</b> <b>974 - 73rd Street, Suite 10</b> <b>Des Moines, IA 50312</b>	     <b>\$1,047.40</b>
	<b>Garnishment of salary of Ralph Knox pursuant to judgment entered in re L-88-0084W. Funds receipted for on 3-20-89.</b>	

MEMORANDUM	GRAND TOTAL	<b>\$1,047.40</b>
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3/21/89

*Theresa M. Kula / Deputy Clerk*

VOL II  
Pg. 83